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FRANKLIN GRANT,

Plaintiff,

- against -

CITY OF NEW YORK; POLICE OFFICER
MARK JONES, Shield No. 5403; RETIRED
POLICE OFFICER EDWARD AZUETA,
Shield No. 22428; AND ALL OTHERS
UNKNOWN 101st & 100 PRECINCT JOHN
DOE OFFICERS INVOLVED IN THE
VIOLATIONS DESCRIBED HEREIN; and
QUEENS HOSPITAL CENTER,

Defendants.

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DECISION and ORDER

07-cv-869-ENV-LB

On July 15, 2008, Magistrate Judge Lois Bloom issued her Report and recommended that plaintiff's complaint be dismissed with prejudice for failure to obey the Court's discovery orders pursuant to Federal Rule of Civil Procedure 37(b)(2)(A)(v). Neither plaintiff nor defendants have objected to Magistrate Judge Bloom's Report and Recommendation within the time prescribed by 28 U.S.C. § 636(b)(1).

In reviewing a Report and Recommendation, this Court “may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the

face of the record.” Nelson v. Smith, 618 F.Supp. 1186, 1189 (S.D.N.Y. 1985). See also Greene v. Trustees of Columbia Univ., 234 F.Supp.2d 368, 370-71 (S.D.N.Y. 2002); Pizarro v. Bartlett, 776 F.Supp. 815, 817 (S.D.N.Y. 1991).

After careful review of the proceedings below, the Court finds Magistrate Judge Bloom’s Report and Recommendation as to the dismissal of the complaint with prejudice for failure to obey the Court’s discovery orders to be correct, well-reasoned, and free of any clear error. The Court, therefore, adopts the Report and Recommendation in its entirety as the opinion of the Court.

Accordingly, the complaint is dismissed with prejudice for failure to obey the Court’s discovery orders. The Clerk of the Court is directed to close this case.

SO ORDERED.

DATED: Brooklyn, New York
 October 17, 2008

s/ENV

ERIC N. VITALIANO
United States District Judge